Notification of PNDT Act by Haryana

2100. DR. ABHISHEK MANU SINGHVI:
SHRI VIJAY JAWAHARLAL DARDA:

Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether it is a fact that the State Government of Haryana notified the Pre-Natal Diagnostic Techniques (PNDT) Act only on 4 March, 2009, which it should have done in 1997;

(b) if so, whether monitoring is done by the Central Government especially in sensitive matters relating to aborting female foetus in early stages of pregnancy; and

(c) whether the Central Government has satisfied itself that all State Governments have duly notified PNDT Act 1997 and sex-determination activities are being curbed?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI DINESH TRIVEDI): (a) The Pre-conception and Pre-natal Diagnostic Techniques (Prohibition of Sex Selection) Act was enacted on September 20, 1994 by the Government of India. This Act come into force in February, 1996.

As per the information received from the Government of Haryana, "the appointments in respect of the District Appropriate Authorities for the whole of State of Haryana was done by Haryana Government *vide* notification No. 1/18/88-2HB-II-97 dated 24.10.1997. The notification was sent to Controller Printing and Stationary, Union Territory, Chandigarh but as per the office records of Controller Printing and Stationery, UT of Chandigarh, such notification was not received for publishing in extra-ordinary gazette. A fresh notification was issued on 4.3.2009 in the official gazette to be substituted for original notification dated 24.10.1997 with retrospective effect from the date on which original notification was sent for publication, *viz.* 24.10.1997. Since the main Act does not authorize the State Government to issue the notification with retrospective effect, the validation of certain appointments of Appropriate Authorities for the whole of the State of Hayana under the provisions of the PC and PNDT Act, 1994 and action taken by them has also been done by issuing an Ordinance on 21.7.2009."

(b) and (c) The Hon'ble Supreme Court of India had, *inter alia*, directed the State Governments to furnish quarterly report containing certain vital information regarding the Genetic Clinics, etc. In pursuance of this direction of the Hon'ble Supreme Court, periodic reports are received from the State/UT Governments. The States/UTs. defaulting in furnishing the reports are constantly reminded to furnish the same. The concerned State Governments are also regularly requested to take effective measures for speedy disposal of the ongoing cases.

As per the reports received from the States and UTs. 36477 bodies using ultrasound, image scanners etc. have been registered under the Act. 431 ultrasound machines have been sealed

and seized for violation of the law. There were 603 ongoing cases, *i.e.* 196 cases are for non-registration of the centre/clinic, 153 cases relate to non-maintenance of records, 123 cases relate to communication of sex of foetus, 37 cases relate to Advertisement about pre-natal/conception diagnostic facilities and 94 cases relate to other violations of Act/Rules.

The Pre-Conception and Pre-natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994 is a Central Act. It extends the whole of India except the State of Jammu and Kashmir, Pre-Conception and Pre-Natal, Sex Selection/Determination (Prohibition and Regulation) Act, 2002, (Act No.XXXI of 2002) on 23rd April 2002. Therefore States are not required to notify the Pre-conception and Pre-natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994.

Setting up of heavy industrial plant in Marathwada

2101. DR. JANARDHAN WAGHMARE: Will the Minister of HEAVY INDUSTRIES AND PUBLIC ENTERPRISES be pleased to state:

(a) whether Government has realized the necessity and importance of establishing heavy industries in backward regions like Marathwada in view of developing them by way of generating employment;

(b) if so, whether Government has any plan to start a heavy industrial plant in Marathwada region where industrialists dare not venture to invest money in a heavy industry; and

(c) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF HEAVY INDUSTRIES AND PUBLIC ENTERPRISES (SHRI ARUN YADAV): (a) to (c) Under the liberalized economic environment, investment decisions are taken by the entrepreneurs based on techno-economic considerations, which in turn depend on the initiatives of the State Governments in creating a conducive environment by way of providing infrastructural facilities and other incentives. The Central Government supplements their efforts to the extent possible by providing support/incentives under its various schemes. There is no proposal for setting up of heavy industrial plant in Marathwada at present.

Subject under ambit of Panchayats

2102. SHRI VIJAY JAWAHARLAL DARDA: Will the Minister of PANCHAYATI RAJ be pleased to state:

(a) whether all the 29 subjects for which the Panchayats are responsible for under the Eleventh Schedule have actually been devolved to the Panchayats;

(b) if so, whether the envisaged targets have been fulfilled as the financial and administrative powers are still controlled by the higher tiers of Government; and

(c) whether the extant procedures and rustic wisdom of Sarpanches and Panches is adequate to deal with all the 29 subjects?